



CONVENTION *of* STATES ACTION MARYLAND

March, 1, 2022

Stephen Patten
1574 Quiet Meadow Way
Hampstead, MD 21074

Rules and Executive Nominations Committee, Maryland House of Delegates

Dear Madam Chairperson:

For the past four years I have had the great honor of volunteering alongside fellow Marylanders, with the goal of adding Maryland to the growing list of states that intend to use Article V of our Constitution to propose amendments, to our Constitution.

I'd like to use my testimony to address the idea that, *"there is no precedent as to how an Article V Convention for Proposing Amendments would be organized or operate."*

In conducting a little research, I easily found plenty of information done by Constitutional Scholars like Independence Institute's Rob Natelson, Princeton's Robbie George, Georgetown's Randy Barnett, and Alliance Defending Freedom's Michael Farris, all laying out multiple examples of in-state convention practices, multi-state convention practices, proposing convention practices, plenipotentiary convention practices and ratifying convention practices.

In addition, I found documentation referring to local, state and federal American government conventions in two centuries of post-Founding official documents, hundreds of state legislature applications, and a string of court decisions stretching from 1798 right into the 21st century -- including a Supreme Court case, *Smith v. Union Bank* in 1831 that refers to a convention for proposing amendments as a "convention of the states."

In reading the research done by the earlier mentioned academic heavyweights, there are records from twenty intercolonial conventions held prior to Independence, eleven in-state and multi-state conventions held from 1776 to 1787, and in the two centuries following ratification there are records of six more conventions with the most recent being held in 2017.

Were these all Article V conventions acting with Constitutional power to propose amendments?

No, none were, but to say there is no historical precedent for conventions sponsored by American governments is just not accurate.

Those that make the argument that there is no precedent for an Article V Convention for Proposing Amendments are either wrong or being untruthful.

My goal is to bring to your attention that there is plenty of scholarship available and it summarily disputes the Article V objection that, 'we don't know how a convention would work.'

I sincerely thank you for time and attention and respectfully ask that you find SJ8 favorable for further debate among the complete senate so these concerns can be accurately discussed and measured with your colleagues.

Sincerely,

Stephen Patten
Constituent of District 5
State Director, Convention of States Action Maryland
stephen.patten@cosaction.com
443-871-5332